

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for non-prisoners to file a civil complaint. NEATLY print in ink (or type) your answers.]

Kayla Brookshire
[You are the **PLAINTIFF**, print your full name on this line.]

v.

Elkhart City Police
[The **DEFENDANT** is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

Case Number 3:20-cv-648

[For a new case in this court, leave blank.
The court will assign a case number.]

FILED
JUL 29 2020
At
ROBERT N. TRGOVICH, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

CIVIL COMPLAINT

#	Defendant's Name and Job Title	Address
1	[Put the defendant named in the caption in this box.] <u>Elkhart City Police</u>	<u>175 Waterfall Dr, Elkhart, IN 46514</u>
2	[Put the names of any other defendants in these boxes.] <u>Tim Zimmer (451)</u>	<u>175 Waterfall Dr, Elkhart, IN, 46514</u>
3	<u>Lanzen, N.H. (395)</u>	<u>175 Waterfall Dr, Elkhart, IN, 46514</u>

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? 3

2. What is your address? 1824 Oriental Ave. Elkhart, IN 46514

3. What is your telephone number: (574) 239-5354

4. Have you ever sued anyone for these exact same claims?

☒ No.

☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how these events happened.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include the names of minors, social security numbers, or dates of birth.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. [The first paragraph has been numbered for you.]

1. On January 1st, 2019, my daughter and I had just got home to our apartment in Elkhart. We were in the bedroom when all of a sudden we heard loud police sirens outside the window and we decided to look out to see what was going on. That is when I noticed Darguell Pulliam backed into a parking slot with his hands up sitting in the vehicle with police officers surrounding his vehicle with their guns towards him. I immediately ran downstairs and outside to see what was going on and was approached by two officers that insisted that I should go back into the house and that I could not be out there at that time. After insisting to find out any information that I could before returning inside and not getting any information, I went back into the apartment building and I told my daughter to run up stairs to grab mommy phone and call her grandmother. While my daughter was upstairs grabbing my phone, I stayed downstairs at the doorway but inside watching outside to see what was going on. All of a sudden I see the officer bust the pass side window and at that point I went back outside to see what was really going on. This time I was approached by a officer who looked at me and said get on the ground you are going to jail too. The officer then

ripped & I was bruised and completely mortified. While in the backseat of the officer's car I was pleading for someone to go and check up on my at the time 6 year old daughter and I remember one of the officers telling me that DCS was going to take her. After pleading & pleading one of the officers finally went upstairs to check up on my daughter and allowed her to call her grandmother and her grandparents came to pick her up. I went to jail that morning and spent one day in jail & wasn't bailed out until January 2nd, 2019. I was arrested for no reason, treated unfairly and spent a night/day in jail for nothing. Prior to this incident, I had never been in trouble with the law and had no prior criminal history. I have been back and forth to court since the incident and the charges has not been dropped and I am taking the case to trial. All the officers involved need to be fired and no longer able to become police officers in the United States. I was never read my rights and was just thrown into the back seat of the police car. Justice needs to be served.

Claims and Facts (continued)

approached me along with another officer and they handled me in a uncared for manner, grabbing me, ripping my clothing, forcing me to the ground while screaming stop resisting. At the time I was 5 1/2 months preg with my second child and I was screaming this out to the officers in hopes that they would stop handling me so roughly. In the end I was arrested, my clothing

PRIOR LAWSUITS – Have you ever sued anyone for this exact same event?

- ☒ No.
☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

RELIEF – If you win this case, what do you want the court to order the defendant to do?

All officers involved that night need to be fired as they are not doing their jobs correctly and they shouldn't be officers. I want an open apology for the pain & suffering I endured that night and that my daughter endured as well. Pay for pain & suffering, and become a felon.

FILING FEE – Are you paying the filing fee?

- ☐ Yes, I am paying the \$400.00 filing fee. I understand that I am responsible to notify the defendant about this case as required by Federal Rule of Civil Procedure 4. [If you want the clerk to sign and seal a summons, you need to prepare the summons and submit it to the clerk.]
☒ No, I am filing a Motion to Proceed In Forma Pauperis and asking the court to notify the defendant about this case.

[Initial Each Statement]

- XB I will keep a copy of this complaint for my records.
XB I will promptly notify the court of any change of address.
XB I declare under penalty of perjury that the statements in this complaint are true.

Shafra Brubaker
Signature

7/9/2020
Date